

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO.: 03-cv-12349-PBS

**BRYAN BARTLETT and ELIZABETH
BARTLETT, Individually and as Mother
and Next Friend of ANGELA L. BARTLETT,
BRYAN K. BARTLETT, JR., AND,
CHRISTOPHER C. BARTLETT,
Plaintiffs**

v.

**DANIEL O'CONNELL'S SONS, INC.,
Defendant**

**JOINT MOTION OF PARTIES TO ENLARGE
EXPERT DISCLOSURE AND SUMMARY JUDGMENT DEADLINES**

The parties to this action respectfully request that the deadline for filing summary judgment motions be extended from October 10, 2005 to November 18, 2005. The parties also jointly request that the plaintiff's expert disclosure deadline be extended to October 7, 2005 and that the defendant's expert disclosure deadline be extended to November 7, 2005. As grounds for this motion, the parties state that they have committed to attend private mediation, which is scheduled for October 18, 2005. As further grounds for this motion, the plaintiff has indicated that an expert report / disclosure will be forwarded in advance of the scheduled mediation. Extending the summary judgment deadline will allow the defendant the option of filing a motion for summary judgment in the event that mediation on October 18, 2005 does not result in settlement, and extending the expert disclosure deadlines will allow both parties to address issues and arguments set forth by their respective experts. As further grounds,

the parties state that this enlargement of time is not requested for purposes of delay, and no party will be prejudiced by the allowance of this motion.

WHEREFORE, the parties respectfully request that this Honorable Court allow this Joint Motion to Enlarge Expert Disclosure and Summary Judgment Deadlines.

Respectfully submitted,

**BRYAN BARTLETT and ELIZABETH
BARTLETT, Individually and as Mother
and Next Friend of ANGELA L.
BARTLETT, RYAN K. BARTLETT,
JR., AND, CHRISTOPHER C.
BARTLETT,**

By their attorney,

**/s/ Nicholas S. Guerrero
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Dated:

Respectfully submitted,

DANIEL O'CONNELL'S SONS, INC.,

By its attorneys,

**/s/ William P. Mekrut
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DATE: October 4, 2005